

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
58th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **REP. PETERSON**, on February 3, 2003 at 3:26 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Gail Gutsche, Vice Chairman (D)
Rep. Jim Peterson, Vice Chairman (R)
Rep. Debby Barrett (R)
Rep. Larry Cyr (D)
Rep. Sue Dickenson (D)
Rep. Ron Erickson (D)
Rep. George Everett (R)
Rep. Kim Gillan (D)
Rep. Carol Lambert (R)
Rep. Michael Lange (R)
Rep. Rick Maedje (R)
Rep. Bruce Malcolm (R)
Rep. Brad Newman (D)
Rep. John (Jack) W. Ross (R)
Rep. Scott Sales (R)
Rep. Veronica Small-Eastman (D)

Members Excused: Rep. Cindy Younkin, Chairman (R), Rep. Christopher Harris (D)

Members Absent: None.

Staff Present: Kathleen Ely, Committee Secretary
Larry Mitchell, Legislative Branch

Video-taped Committee: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society. THE TIME STAMP REPRESENTS ELAPSED TIME.

Committee Business Summary:

Hearing & Date Posted: HB 370, 1/21/2003; HB 367,
1/21/2003
Executive Action: HB 292, DO PASS AS AMENDED, 18-0
HB 351, DO PASS, 10-8
HB 257, TABLED

HEARING ON HB 370

Sponsor: REP. NOENNIG, HD 9, BILLINGS

Opening Statement by Sponsor:

3:28 p.m. REP. NOENNIG

Proponents' Testimony:

3:33 p.m. Peggy Trenk, Montana Association of Realtors

3:34 p.m. Tim Davis, Montana Smart Growth Coalition

3:38 p.m. Ann Hedges, Montana Environmental Information Center

3:41 p.m. Byron Roberts, Montana Contractors Association

Opponents' Testimony:

3:42 p.m. Tammy McGill, Land Use Planner, Stillwater County

3:49 p.m. Jim McDonald, Montana Association of Registered Land Surveyors

Questions from Committee Members and Responses:

3:49 p.m. REP. ROSS

3:49 p.m. Tammy McGill

3:50 p.m. REP. ERICKSON

3:51 p.m. Ann Hedges

3:54 p.m. REP. ERICKSON

3:54 p.m. Ann Hedges

Closing by Sponsor:

3:54 p.m. REP. NOENNIG

HEARING ON HB 367

Sponsor: REP. WINDY BOY, HD 92, BOX ELDER

Opening Statement by Sponsor:

3:56 p.m. REP. WINDY BOY

EXHIBIT (nah23a01)

EXHIBIT (nah23a02)

EXHIBIT (nah23a03)

EXHIBIT (nah23a04)

4:05 p.m. CHAIRMAN YOUNKIN arrives.

Proponents' Testimony:

4:20 p.m. Andrew Huff, Fort Belknap Tribe

4:27 p.m. Benjamin Speak Thunder

4:30 p.m. Dean Stiffarm, Fort Belknap Elders and Youths

4:32 p.m. SEN. HANSEN, SD 46

4:34 p.m. Bonnie Gestring, Mineral Policy Center

4:35 p.m. Jeff Barber, Montana Environmental Information Center

4:37 p.m. Gene Fenderson, Progressive Labor Caucus

Opponents' Testimony:

4:40 p.m. William Duffield, Montana Association of Oil, Gas and Coal Counties

EXHIBIT (nah23a05)

Informational Testimony:

4:45 p.m. Angela Janacaro, Montana Mining Association

4:46 p.m. **Jan Sensibaugh, Department of Environmental Quality**

Questions from Committee Members and Responses:

4:46 p.m. **REP. ERICKSON**

4:46 p.m. **Jeff Barber**

4:47 p.m. **REP. ERICKSON**

4:48 p.m. **Jeff Barber**

4:49 p.m. **REP. ERICKSON**

4:48 p.m. **Mae Nan Ellingson, Attorney**

4:49 p.m. **REP. HARRIS**

4:48 p.m. **Mae Nan Ellingson, Attorney**

4:49 p.m. **REP. HARRIS**

4:49 p.m. **Jan Sensibaugh**

4:50 p.m. **REP. HARRIS**

4:51 p.m. **Jan Sensibaugh**

4:51 p.m. **REP. HARRIS**

4:52 p.m. **Jan Sensibaugh**

4:52 p.m. **REP. HARRIS**

4:52 p.m. **Jan Sensibaugh**

4:53 p.m. **CHAIRMAN YOUNKIN**

4:54 p.m. **Judy Hanson**

4:56 p.m. **REP. MALCOLM**

4:57 p.m. **Jan Sensibaugh**

4:58 p.m. **REP. MALCOLM**

4:58 p.m. **Jan Sensibaugh**

4:59 p.m. **REP. EVERETT**
5:00 p.m. **Dean Stiff Arm**
5:00 p.m. **REP. SMALL-EASTMAN**
5:02 p.m. **Andrew Huff**
5:03 p.m. **REP. LAMBERT**
5:04 p.m. **Dean Stiff Arm**
5:04 p.m. **REP. LAMBERT**
5:04 p.m. **Dean Stiff Arm**
5:05 p.m. **REP. LAMBERT**
5:05 p.m. **Dean Stiff Arm**
5:06 p.m. **REP. MAEDJE**
5:07 p.m. **Jan Sensibaugh**
5:08 p.m. **REP. MAEDJE**
5:09 p.m. **Jan Sensibaugh**
5:10 p.m. **REP. MAEDJE**
5:11 p.m. **Jan Sensibaugh**
5:11 p.m. **Mae Nan Ellingson**
5:12 p.m. **REP. LANGE**
5:12 p.m. **Jan Sensibaugh**
5:12 p.m. **REP. LANGE**
5:13 p.m. **Jan Sensibaugh**
5:13 p.m. **REP. LANGE**
5:13 p.m. **Jan Sensibaugh**
5:14 p.m. **REP. LANGE**

5:15 p.m. REP. WINDY BOY

Closing by Sponsor:

5:18 p.m. REP. WINDY BOY

EXECUTIVE ACTION ON HB 257

Motion: 5:21 p.m. REP. ERICKSON moved that HB 257 DO PASS.

Motion: 5:21 p.m. REP. ERICKSON moved that HB 257 BE AMENDED.

5:24 p.m. Larry Mitchell

5:24 p.m. REP. MAEDJE

5:24 p.m. REP. GUTSCHE

5:25 p.m. REP. ERICKSON

Vote: 5:25 p.m. Motion that HB 257 BE AMENDED carried 15-2 with CYR and ERICKSON voting no by voice vote.

5:26 p.m. REP. PETERSON

5:27 p.m. REP. ERICKSON

Motion/Vote: 5:28 p.m. REP. GUTSCHE moved that HB 257 BE TABLED. Motion carried 16-1 with ERICKSON voting no by voice vote.

5:28 p.m. REP. PETERSON assumes the Chair.

EXECUTIVE ACTION ON HB 292

Motion: 5:28 p.m. CHAIRMAN YOUNKIN moved that HB 292 DO PASS.

Motion: 5:29 p.m. CHAIRMAN YOUNKIN moved that HB 292 BE AMENDED.

EXHIBIT (nah23a06)

5:30 p.m. REP. DICKENSON

5:31 p.m. CHAIRMAN YOUNKIN

Vote: 5:31 p.m. Motion that HB 292 BE AMENDED carried 16-1 with ERICKSON voting no by voice vote.

Motion: 5:31 p.m. **CHAIRMAN YOUNKIN** moved that **HB 292 DO PASS AS AMENDED**.

5:32 p.m. **REP. GUTSCHE**

5:32 p.m. **REP. YOUNKIN**

5:33 p.m. **REP. GUTSCHE**

5:33 p.m. **REP. ERICKSON**

5:34 p.m. **REP. MAEDJE**

5:35 p.m. **REP. LAMBERT**

Vote: 5:35 p.m. Motion that **HB 292 DO PASS AS AMENDED** carried **unanimously** by voice vote.

EXECUTIVE ACTION ON HB 351

5:36 p.m. **REP. LANGE**

Motion: **REP. LANGE** moved that **HB 351 DO PASS**.

5:37 p.m. **REP. ERICKSON**

5:43 p.m. **REP. LANGE**

5:44 p.m. **REP. ERICKSON**

5:52 p.m. **REP. SALES**

Vote: Motion that **HB 351 DO PASS** carried 10-8 with **CYR, DICKENSON, ERICKSON, GILLAN, GUTSCHE, HARRIS, NEWMAN, and SMALL-EASTMAN** voting no by roll call vote.

5:55 p.m. **REP. ERICKSON**

ADJOURNMENT

Adjournment: 5:56 P.M.

REP. CINDY YOUNKIN, Chairman

KATHLEEN ELY, Secretary

CY/KE